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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,065	10/06/2000	Mamoun Abu-Samaha	10005265-1	2855

7590 01/23/2006
HOWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/684,065	Applicant(s) ABU-SAMAH, MAMOUN	
	Examiner Martin Lerner	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 21, 23 to 30, and 32 to 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 to 21, 23 to 30, and 32 to 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 23 September 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Applicant cites Foreign Patent Documents and Non Patent Literature Documents, but no copies were found for these publications. Foreign Patent Document WO 00/39666 to *Carlino et al.* and Non Patent Literature Document to *Zimba*, "mProductivity: Introduction, Technology, Architecture", were cited on Form 1449/PTO, but no copies of these documents accompany Applicant's Amendment filed 23 September 2005. These publications are not readily available to the USPTO, and 37 CFR 1.98(a) requires Applicant to submit copies of these documents for proper consideration. Accordingly, these publications are not considered on Form 1449/PTO.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

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art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 to 21, 23 to 30, and 32 to 40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Independent claims 1 and 11, as amended, contain limitations of "wherein the access module additionally is configured to create a label identifying a data item identified by a messaging/collaboration server reference into the messaging/collaboration data, pass the label to the voice device without passing the data item, and store an association between the label and the messaging/collaboration server reference", which limitations are new matter.

Applicant states that support for the amendments to independent claims 1 and 11 are found on Page 16, Line 15 through Page 18, Line 34 of the Specification. However, Applicant's Specification, as originally filed, was reviewed, but neither express nor implied disclosure of limitations directed to labels identifying data, passing the label without passing the data item, and storing an association between the label and a messaging/collaboration server reference, was found. The passage cited by Applicant does state that access module 120 manages sessions by creating XML structures for holding long variable names and references, and by passing only simple references (e.g. an HTTP cookie) to the destination device. The passage also discloses that

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access module 120 stores on the server a sessionID_Inbox.xml file, which contains references to the actual content of each of the corresponding sub-messages.

Still, given the disclosure of the cited passage, Applicant has not provided support for the claimed limitations, as these claimed limitations go beyond what one having ordinary skill in the art could reasonably read from the cited passage. Applicant's originally-filed Specification does not set forth elements of "a label", "a messaging/collaboration server reference", or "messaging/collaboration data". Nor could one having ordinary skill in the art deduce the scope of "a label" as being commensurate with any or all of an XML structure, or an HTTP cookie, or a sessionID_Inbox.xml file. Similarly, one having ordinary skill in the art could not deduce that the scope of "a messaging/collaboration server reference" is commensurate with any or all of an XML structure, or an HTTP cookie, or a sessionID_Inbox.xml file. Applicant's Specification does not define the terms set forth by the claims, and one having ordinary skill in the art could not readily recognize that the scope of the claimed elements is contained within the originally-filed Specification. The scope of the terms recited in the claims cannot easily be translated into the elements disclosed by the Specification. Thus, Applicant's Specification does not define the terms of the claims with sufficient specificity as to inform one having ordinary skill in the art that Applicant had possession of the invention as now claimed at the time of filing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (571) 272-

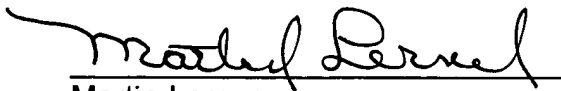
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7608. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
1/18/06


Martin Lerner
Examiner
Group Art Unit 2654